

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INVOKANA (CANAGLIFLOZIN)
PRODUCTS LIABILITY LITIGATION**

3:16-md-02750-BRM-LHG

THIS DOCUMENT APPLIES TO ALL ACTIONS

JUDGE BRIAN R. MARTINOTTI
JUDGE LOIS H. GOODMAN

~~PROPOSED~~ ORDER TO ADMINISTER SETTLEMENTS RESOLVING CASES
AND CLAIMS OF SEEGER WEISS LLP PLAINTIFFS

Pending is an Unopposed Motion (ECF No. 275) for Approval of a Qualified Settlement Fund, filed November 13, 2018. Upon consideration of the Motion of Seeger Weiss LLP (“SW”) and for good cause shown, the court hereby **ORDERS** as follows:

1. The Unopposed Motion is **GRANTED**.
2. To assist in the administration of the settlement of claims brought by the clients of SW (which shall include all plaintiffs represented by SW in the settlement agreement that is in the process of being finalized with the Janssen Defendants), the Seeger Weiss Invokana Settlement Fund (the “QSF”) shall be established as a Qualified Settlement Fund within the meaning of Treasury Regulation Section 1.468B-1, pursuant to this court's continuing subject matter jurisdiction over the underlying matter and consistent with Treas. Reg. Section 1.468B-1(c)(1). All settlements reached by and between Plaintiffs in state or federal litigation or Claimants who are represented by SW pursuant to the Master Settlement Agreement that is being finalized shall be paid into the QSF.
3. Archer Systems, LLC is appointed as Fund Administrator and shall serve pursuant to the terms, conditions and restrictions of the Unopposed Motion, the Master Settlement

Agreement, and the Qualified Settlement Fund Agreement, which is attached to the Motion and which will be executed substantially in the same form as identified therein. SW and said Fund Administrator are given the authority to conduct any and all activities necessary to administer this QSF as described in the Motion.

4. The QSF, which includes all principal and interest earned thereon, shall be deposited in an account held in custody at Esquire Bank, with such bank serving as the Custodian of the QSF. Investment related decisions shall be made pursuant to the terms and conditions set forth in the Motion, and disbursements from QSF shall be made pursuant to the terms of the Master Settlement Agreement and the Qualified Settlement Fund Agreement.

5. The Fund Administrator is authorized to effect qualified assignments of any resulting structured settlement liability within the meaning of Section 130(c) of the Internal Revenue Code to the qualified assignee.

6. The Fund Administrator is further authorized, upon final distribution of all monies paid into the QSF, to take appropriate steps to wind down the QSF, and thereafter the Fund Administrator is discharged from any further responsibility with respect to the QSF.

Date: December 20, 2018

/s/Brian R. Martinotti

HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE